

MINUTES
TOWN OF LAKE CLARKE SHORES
ZONING BOARD OF ADJUSTMENT MEETING
MARCH 12, 2009
6:30 PM

I. MEETING CALLED TO ORDER:

Board Chairman, Michael Provenzale called the meeting to order at 6:30 PM.

THE FOLLOWING MEMBERS AND OFFICIALS WERE PRESENT:

Michael Provenzale, Chairman; Jeremy Walter, Board Member; Robert Rankin, Board Member; Joseph Bucca, Board Member; Pat Conte, Alternate Member; Mark Roberts, Alternate Member; James Watt, Board Attorney; Joseph Iagrossi, Building Official; Mary Pinkerman; Recording Secretary.

ABSENT:

Steve Kvarnberg, Board Member

Clerk's Note: Mark Roberts, Alternate Member, was in attendance, but unable to participate as a board member since he was the applicant and the only item on the agenda.

II. APPROVAL OF MINUTES:

Mr. Walter made the motion to approve the minutes of the September 11, 2008, Zoning Board of Adjustments Hearing; seconded by Mr. Rankin. Motion approved (5-0).

III. SWEARING IN OF WITNESSES:

Mr. Watt swore in witnesses.

IV. DISCLOSURE OF SITE VISIT:

V. APPLICATIONS:

ZBA 2009-01

Mark E. Roberts
1421 Palm Circle
Lake Clarke Shores, FL 33406

Applicant requests a 6.4' variance to construct a bedroom closet having an 18.6' rear setback from the property line, with relief from the 25.0' setback as required by Sec. 86-350 (a) of the Town's Code of Ordinances.

A. CORRESPONDENCE / AUDIENCE COMMENTS FOR OR AGAINST APPLICATION 2009-01:

Certified letters were mailed to eleven (11) property owners within 100' of subject property. Seven (7) of the returned receipts were received. Two (2) were returned as unclaimed and two (2) had not been returned prior to the hearing date. The Town did not receive any correspondence from residents either for or against the variance.

B. SUMMARY OF APPLICATION 2009-01:

The Applicant sought relief from the 25' required rear setback to construct a bedroom closet that will be 18.6' from the rear property line.

C. DISCUSSION OF APPLICATION 2009-01:

The Applicant explained the reason for the variance requested. The Board and the Applicant discussed the variance in detail.

D. BOARD DECISION 2009-01:

Based on the testimony and evidence presented in ZBA File No. 2009-01, the Board denied the variance. **Mr. Walters made the motion; seconded by Mr. Rankin. Motion carried (4-1) with Mr. Bucca opposed.**

VI. OTHER MATTERS TO BE HEARD:

Mr. Jeremy Walters stated that he has sold his house and will therefore be resigning his position on the Zoning Board.

There was discussion concerning whether a homeowner of a property that extends into the waterway would be able to construct a seawall at the property line, then backfill the area to the seawall. It was explained that the property owner would need to obtain the required permits from various agencies prior to the Town issuing a permit for the seawall and backfill.

VII. DATE FOR NEXT MEETING:

The next Zoning Board of Adjustments Hearing is scheduled for May 14, 2009.

VIII. ADJOURNMENT:

Motion to adjourn the meeting was made by Mr. Rankin, seconded by Mr. Walters; Motion carried (5-0).

Meeting adjourned at 7:13 PM.

MICHAEL PROVENZALE, CHAIRMAN

MARY PINKERMAN, RECORDING SECRETARY